

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 19-40441

NORMAN W. THURLBY, II,

Chapter 7

Debtor.

Judge Thomas J. Tucker

ORDER DISMISSING CASE

On January 13, 2019, the Debtor filed a voluntary petition for relief under Chapter 7, commencing this case, and the Debtor also filed, among other documents, a document entitled “Certificate of Counseling” (Docket # 3), which states that on **July 5, 2018**, the Debtor received “an individual [or group] briefing that complied with the provisions of 11 U.S.C. §§ 109(h) and 111.”

This Debtor is not eligible to be a debtor in this case under 11 U.S.C. § 109(h)(1). That section provides in relevant part, that:

an individual may not be a debtor under this title unless such individual has, **during the 180-day period ending on the date of filing the petition by such individual**, received from an approved nonprofit budget and credit counseling agency described in section 111(a) an individual or group briefing (including a briefing conducted by telephone or on the Internet) that outlined the opportunities for available credit counseling and assisted such individual in performing a related budget analysis.

(Emphasis added).

The Debtor did not receive the required credit counseling briefing *during the 180-day period ending on the date of the filing of the petition*. The only credit counseling certificate that the Debtor has filed shows that the Debtor received the credit counseling briefing on July 5, 2018, which was **192 days** before the petition was filed in this case.

Accordingly,

IT IS ORDERED that this case is dismissed.

Signed on January 18, 2019



/s/ **Thomas J. Tucker**

Thomas J. Tucker
United States Bankruptcy Judge